

Message Text

CONFIDENTIAL

PAGE 01 BUENOS 08477 311652Z

60

ACTION ARA-10

INFO OCT-01 ISO-00 EUR-12 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 AID-05 /074 W

----- 075848

R 311600Z DEC 75

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 3990

C O N F I D E N T I A L B U N E O S A I R E S 8 4 7 7

E.O. 11652: GDS

TAGS: PINT, AR

SUBJECT: JUDGE FASOLINO SUSPENDS INVESTIGATION OF PRESIDENTIAL
CHECK

REF: A) BA-8211, B) BA-8451

1. FEDERAL JUDGE ALFREDO FASOLINO DEC 30 ORDERED THE
"DEFINITIVE SUSPENSION" OF THE INVESTIGATION INTO THE NOW FAMOUS
PRESIDENTIAL CHECK (REF A). HE BASED HIS DECISION ON THE
FACT THAT HE WAS CONVINCED BY EXPERT TESTIMONY THAT THE
CHECK IN QUESTION, DRAWN ON THE CRUZADA'S ACCOUNT TO PAY
EVA PERON'S HEIRS, WAS "SIGNED BY INVOLUNTARY ERROR," AND
WAS PROMPTLY WITHDRAWN WHEN THE ERROR WAS DISCOVERED, THUS
"DAMAGING NO ONE." FINALLY, HE BACKED UP HIS DECISION BY
QUOTING FROM THE ATTORNEY GENERAL'S ADMINISTRATIVE INVESTI-
GATIONS OFFICE REPORT WHICH CONCLUDED THAT "THERE IS NO
EVIDENCE OF ADMINISTRATIVE IRREGULARITY AND NO OTHER FACTS
THAT COULD BE MATERIAL FOR INVESTIGATION".

2. THE GOVT WASTED NO TIME IN CAPITALIZING ON THIS DECISION.
ALL MORNING NEWSPAPERS DEC 31 CARRIED FULL PAGE ADS FROM THE
PRESIDENTIAL PRESS SECRETARIAT COTAINING THE COMPLETE TEXT
OF FASOLINO'S VERDICT UNDER THE BANNKER HEADLINE "JUSTICE."

3. IN A RELATED DEVELOPMENT, GEN FATIGATTI'S FAILURE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 08477 311652Z

TO SHOW UP FOR HIS SCHEDULED AUDIENCE DEC 30 WITH

THE CONGRESSIONAL INVESTIGATING COMMITTEE CASUED
CONSIDERABLE IRRITATION AMONG COMMITTEE MEMBERS. WHILE
THE OSTENSIBLE REASON FOR HIS ABSENCE WAS "PRESSING
BUSINESS AT GOVT HOUSE," (REF B), UNOFFICIAL SOURCES
REVEALED THAT HE HAD SENT A NOTE TO THE COMMITTEE CON-
FIRMING HIS PREVIOUS POSITION THAT THE COMMITTEE LACKS
AUTHORITY TO INVESTIGATE THE CRUZADA'S AFFAIRS. AS A
RESULT, THE COMMITTEE RESOLVED TO DEMAND HIS APPEARANCE
AT 5 P.. DEC 31 AND ASKED FOR THE AID OF THE "SECURITY
FORCES" TO INSURE FATIGATTI'S PRESENCE.

4. COMMENT: FATIGATTI'S ATTITUDE IS NOT SUPRISING.
WHILE IT MAY APPEAR THAT HE IS OUT OF STEP WITH MRS. PERON'S
CHANGE IN TACTICS ON THE CORRUPTION ISSUE, (REF B), FEW
BELIEVE SHE IS SERIOUSLY INTERESTED IN HELPING TO CLARIFY
THE PLETHORA OF CORRUPTION CHARGES SURROUNDING HER
ADMINISTRATION. THEY MAY BE NOTHING MORE THAN THE TIP
OF THE ICEBERG. FURTHER, THE JUDGE'S DECISION INVOLVES
ONLY THE ONE CHECK FOR THE HEIRS. THERE ARE AT LEAST A
DOZEN OTHER CHECKS, SEVERAL OF WHICH REPORTEDLY WERE
SIGNED BY MRS. PERON. WHETHER "ADMINISTRATIVE IRREGULARITY"
WAS INVOLVED OR NOT, THERE IS NO QUESTION THAT ERROR, OR
ERRORS, WERE MADE. IF NOTHING ELSE, MRS. PERON WAS
GUILTY OF INCREDIBLE NAIVETE. THE FAVORABLE VERDICT
ON THE ONE CHECK, HOWEVER, MAY HARDEN HER RESOLVE
TO LOOK COOPERATIVE BUT ACT OBSTRUCTIVELY.
HILL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CORRUPTION, COURTS DECISION, INVESTIGATIONS, PUBLIC ADMINISTRATION
Control Number: n/a
Copy: SINGLE
Draft Date: 31 DEC 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BUENOS08477
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750452-0119
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975122/aaaaabiq.tel
Line Count: 88
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 BUENOS AIRES 8211, 75 BUENOS AIRES 8451
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 04 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 SEP 2003 by ellisoob>; APPROVED <18 DEC 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: JUDGE FASOLINO SUSPENDS INVESTIGATION OF PRESIDENTIAL CHECK
TAGS: PINT, AR
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006